REVENUE (19 40) Department

MS SERIES.

G.O. No. Ms. 1221 1221

13.5.40

Dated 13th May 1940.

[Despatch Abstract.]

ADVANCES - Loans - (Bellary) - Siruguppa Taluk and village and Improvement Loans Nos. 833/36 and 834/36 -- Postponement of collection - Petitions of Sri S.K. Hanumantha Rao - Orders passed:

From

S.K. Hanumantha Rao,

House Surgeon, Head Quarters Hospital, Bellary.,
now at, Madras under training in Opthalmic Hospital,

M A D R A S

To

G.T. Boag Esqr., C.I.E.,

Adviser To Governor of Madras,

Fort St. George, M A D R A S

S i r,

The humble petition of S.K. Hanumantha Rao, a ryot in the village of Sirugappa, Sirugappa Taluk, Bellary District, showeth as follows:

1. The petitioner owns in Sirugappa Taluk wet and dry lands and he succeeded to the same along with his brother aged four years and widowed mother on the death of his father in May 1939.

2. The petitioner's father had borrowed in Fasli 1336 from the Government a loan under the Land Improvement Loans Act, Nos. 181/36, 605/36, 606/36 and 631/36, the aggregate amount of these loans being about Rs. 1,800/- or 2,000/-. The loans were free of interest. The petitioner understands that till 1930, his father ~~had~~ paid the instalments due on the said loans and that in 1930, in accordance with the instructions in the G.O. issued ther on account of the severe famine conditions in Sirugappa and Bellary Taluks the collections of the instalment due on the loans were suspended and it was also directed that if and when the loans are collected, the instalment on the

first loan alone shall be collected and the instalment due on the other loans shall be suspended till the earlier loan is completely discharged.

3. In 1933 the petitioner's father was compelled to purchase ~~in Court~~ in auction held in the District Munsif's Court, Bellary, in execution of a decree obtained by the petitioner s father against one Banni Mallayya, the dry lands belonging to the said Banni Mallayya. The said land was burdened with two loans of about Rs. 500/- each under the Land Improvement Loans Act, Nos. 833 and 834 of fasli 1336. The petitioner understands that the instalments due on these two said loans had been paid till 1930, and later suspended under orders of the Government.

4. In 1939, after the death of the petitioner's father the petitioner received a demand from the Tahsildar claiming the instalments in respect of both loans 833 and 834 of fasli 1336 due on the lands purchased from Banni Mallayya. The petitioner prayed that the collection of the instalments due on these two loans may be suspended till the amount due on the loans borrowed by the petitioner's father under the loan Nos. 181/36, 605/36, 606, and 631/36 had been discharged. The Board of Revenue by its B.P. Routine No. 374 dated 19th January 1940, rejected the request of the petitioner (Vide original order enclosed). The petitioner submits that he is a ryot depending on the land for his maintenance and accoording to the special orders issued by the Government in relation to the Bellary District and particularly for the benefit of the chronic famine area, the Ballary and Sirugappa Taluks he is entitled to this concession.

The petitioner submits that he is now aged only 25 s and he is the head of the family consisting of him- his mother, a brother aged four years and two un- ied sisters and the burden of managing the family irs is fallen on him quite suddenly. The petitioner's er has left debts to the extent of Rs. 8,000/- in tion to the debt due to the Government under the Land ovement Loans Act and he has to pay interest on the loan. The petitioner submits that the lands yield t income of only Rs. 1,000/- per annum and he has no r source of income. He therefore finds it had to meet ordinary affairs of the family.

The petitioner has just passed out of the Medical ollege and is now an honourary house surgeon. Under the ders of the Government he is under training in Madras pthalmic Hospital for eye surgery and his training will e finished only in April 1940 Subsequent to his training nder a bond executed by the petitioner in favour of the overnment, he has to serve the Government without remune- ation or salary for a period of three years. Of course e is allowed private practice. But fresh and inexperienced s as he is, he does not expect to make any income for some me in the beginning. He has to make both his ends meet thin the income of Rs. 1,000/- from the landed property and also maintain the family.

7. The petitioner is now paying the instalment of Rs.50/- due on the loan borrowed by his father, i.e., L.I.L.No. 181/36 and he has also to pay the instalment of Rs. 80/- due on an agricultural loan borrowed by his father for the purchase of a Sugar mill. The order of the Board of

Revenue in B.P.R.No. 374/40 ordering him to pay in addition the instalments due on the amount borrowed by Banni Mallayya in L.I.L. 833 and 834/36, the instalment amounting to Rs. 80/- causes great hardship to him and he is not in a position to pay the same.

8. The petitioner therefore prays that the benefit of the Government order issued in 1930 may be extended to him and he may be permitted to discharge the amounts due to the Government on the several loans one after the other in accordance with that order and that the order in B.P.R. No. 374/40 may be cancelled.

9. The petitioner understands that the Revenue authorities in the Taluk are threatening to take immediate steps for the recovery of the amount. His widowed mother who is the only member present in the village is feeling nervous. The petitioner owing to the exigencies of service is unable to proceed immediately to the village and make arrangements. The petitioner therefore prays that the order of the Board of Revenue in Routine No.374 of 1940 may be stayed till the disposal of this petition by theGovernment.

I beg to remain,

Sir,

Your most obedient servant.,

S. K. Hanumantha Rao

Madras
23rd Feb 1940.

Encl:
Order R.Dis No.2968/39;
dated 10--2--1940.

Rev 1/ R 9756
5 3.40
5/3 8/1 Q

From

S.K. Hanumantha Rao,

House Surgeon, Head Quarters ~~Hospital~~, Bellary, now at, Madras under training in Ophthalmic Hospital,

Madras

SECRETARY TO GOVERNMENT
5 MAR 1940
REVENUE DEPARTMENT

To

G.T. Boag Esqr., C.I.E.,

Adviser to Governor of Madras,

Fort St. George, Madras.

Sir,

Mr 1-5 ante

Ref: My Petition dated 23rd February 1940, against B.P.R. No. 374 of 1940.

-----o-----

Mr 1-5 ante

(1) In continuation of my memorial dated 23rd February 1940, in regard to the Land Improvement Loans Nos. 833 and 834 of 1936 in ~~Singappa~~ Sirigappa Taluk, Bellary District, I request I may be permitted to give the following particulars in addition:

(2) My father purchased the lands in respect of which the aforesaid loans were granted in or about 1933 from the former owner Banni Mallaya in Court auction for a sum of about Rs. 1,300/-, which amount was due to my father by the said Banni Mallaya under a decree. The lands were worth on the date of the Court auction only about Rs. 1,600/- and after deducting the amount of Rs. 800/- due to the Government the net value of the land was only about Rs. 800/-. But still he purchased it for the entire amount due to him under the decree, as there were no other bidders and the Court would not ~~gx~~ permit my father to bid at any lower price. The said

lands now yield an income of only Rs. 60/- or so pe annum after payment of the kist and cultivation charges.

(3) I am informed by my people from Bellary that the amount due to the Government for fasli 1349 has been paid in respect of both the loans.

(4) I request that orders may be passed for repayment of the loans in instalments one after the other from the next fasli onwards. If for any reason the Government feels any difficulty to cancel the order of the Board of Revenue in B.P.R.No. 374/40 and suspend payment towards both the loans, I pray that the Government will be pleased to permit me to pay in respect of these two loans viz, L.I.L. Nos. 833 and 834/36 at least, the instalments towards one loan only and suspend repayment of the other loan till such time as the first loan is discharged fully and by granting this request I will be restored to the position in which Banni Mallaya would have been if he were still the owner.

I beg to remain,

Sir,

Your most obedient Servant,

S. Hanumantha Rao

P 9/3/

Revenue dept.

L.D.O

pl. issue C.# fwd up for typical clause

8/3/40

Advances - Loans - (Bellary)

Siruguppa Taluk - Sirugupa villa

L.D.L. Nos. 833/36 and 834/36 -

Collection - postponement - From

Sri S.K. Hanmantha Rao, petitio

dated 23/2/1940 and 4/3/40.

pp 1-4 C.# and pp 7-9 C.#

Endt:- No. 791 G/40-2 dated 8/3/4

Referred to the Board of Revenue for remarks.

2/ Pending the disposal of the petition, the Board is requested to instruct the Collector to sta the collection of the instalments due in respect of the two loans Nos. L.D.L. 833/36 & 834/36.

~~objection to notice~~ para 3 at p 9C.#

Vide Note

with enclosures

Urgent Initials. 13/3.

100

to the Board of Revenue (with ~~6 copies~~ petitions in orgl. to be retd with reply.

pp 1-4C.# and 7-9C.#

copies of pp 1-2 and 7 should be taken and sent

27/2

26/2/40

26.2.40.

13

C.F. 31—17,006—9-2-

REVENUE DEPARTMENT.

CURRENT No. 14876 (534)

SECRETARY TO GOVERNMENT 13 APR 1940 REVENUE DEPARTMENT

Received _____ 1940 *Registered* 13 APR 1940 19 40

Subject.

ADVANCES - Loans - (Bellary) Siruguppa taluk and village - Land Improvement Loans Nos. 833/36 and 834/36 Postponement of collection - Petitions of Sri. S.K. Hanumantha Rao - Board's remarks - submitted.

L. Dis.NoS.2361/40

Station Madras, *Dated the* 9th April 19 40

From R.A. Gopalaswami Esquire. I.C.S.,

Joint Secretary,

Board of Revenue. Madras.

C.A. Henderson Esquire, C.S.I.,V.D., I.C.S.,
Commissioner of Land Revenue and Irrigation.

Read - the following: - *p 11 ante*

Government Endorsement No. 791 G/40-2, Revenue Dept., dated 8th March 1940. *1/2 11 ante*

With reference to their Endorsement cited above, the Board submits to the Government copies of the letter from the Collector of Bellary Ref. C.No. 1469/39-K, dated 5-12-39 and of its Proceedings Mt. No. 374 dated 19-1-40 thereon. *10-17 infra* *19 infra*

2. When the petitioner's father purchased the lands offered as security for the loans obtained by the original borrower, he should have known that he had to pay the Takkavi loans secured

on them and should presumably have paid a value which would enable him to pay off the loans on the due dates. It is desirable to allow the concession to the original borrower; but it does not seem advisable. on principle, to extend it to the cases of the kind referred to in the petition. In the circumstances the Board is unable to recommend the grant of the petitioner's request.

For Joint Secretary

To The Secretary to the Government, Revenue Department,
with enclosures in original and
copies of Bellary Collector's letter and B.P.No.
Rt. 374 dated 19-1-40.

T.S.,
10/4

Letter from A.D. Crombie Esquire, C.I.E., I.C.S., Collector of Bellary, No. Ref. C.1469/39-K, dated 5th Decr. 1939.

Advances - Loans - Siruguppa Taluk and Village - L.I.L 833/36 and 834/36 - instalments -Postponement - Instructions solicited.

In 1927 two loans were granted to B. Narasappa of Siruguppa in L.I.L No. 833/36 and 834/36 for Rs.350/- and Rs.450/- respectively, and after the demise of the original borrower revised loan orders were issued by the Tahsildar in 1931 in the name of the said Narasappa's son Mallayya. In 1933 one Sri. S.K. Bhemsena Rao of Siruguppa purchased the lands hypothecated in the above two loan orders in a court sale, subject to the repayment of the state loan. The Revenue Registry was accordingly transferred in his name, and revised loan orders were also issued in the two cases in his name, under Rule XXIX of the Madras Land Improvement and Agricultural loans rules of 1938.

2. In G.O. No. 628 Press Revenue Department dated 1-4-30 communicated with B.P. Misc., 1134 dated 6-4-30, the Government were pleased to remit the interest on the outstanding loans granted in Faslis 1330, 1333 and 1336 in the Siruguppa Taluk, considering that the burden of accumulated debt was such that the ryot would not be able to discharge it without difficulty, and they further directed that, when a ryot had to repay two or more loans he should be allowed to repay them successively.

3. The above two loans have been treated as free of interest. Sri. S. K. Bhimasena Rao, the present holder of the two loan orders referred to in para. 1 above has also four other loan orders (L.I.L. 181/36, 605/36, 606/36 and

631/36). at his credit and he has been allowed the concession to repay these loans successively. Sri. S.K.Bhemsena Rao is now dead. His son Sri. S. K. Hanumantha Rao has now made an application to the Tahsildar of Siruguppa that the concession referred to above may also be extended to the two Loans Orders transferred to his father and that he may be allowed to repay the Loans successively in the following order: -

			Outstanding Balance.
L.I.L.	181/36	Dated 15-3-37	Rs. 294-13-11.
"	605/36	9-4-27	415- 4- 8
"	606/36	9.4-27	415- 4- 8
	631/36	11-4-27	227- 9- 3
	833/36	14-4-27	216-14-10
	834/36	14-4-27	341-12- 0

The question is whether the concession referred to in para. 2 above can also be extended to the two cases in question, as the original borrowers have alienated the security lands

4. In this connection - I invite attention to B.P. Mis.,2715 dated 15-9-30. in which the Board communicated a copy of Government Memo No. 1902 E/30-1- dated 11-9-30, - ordering that the concessions granted in G.O.No. 828 Rev., dated 1-4-30 should not be applied to the cases of the kind mentioned in the Board's reference, Ref. L.R. and S. No. F. 4321/30 dated 29-8-30. It is presumably based on the reference C.No. 3883 dated 11-8-30 from this office, which referred to cases of loans obtained by false pretences or when the amounts were deliberately mis-spent. The Tahsildar has reported that there was no fraudulent transaction betwe the original borrower of L.O.Nos.833 and 834 of 1336 and t late S.K. Bhimsena Rao, that the works for which the loans were granted, have been completed and that the completion reports have been filed with the loans records (vide copy of paras.3 and 4 of his report to my Treasury Deputy - Collector's reference No. 2968/39 K dated 23-11-39 enclosed). I request to be informed whether the request of the petitioner S.K.Hanumantha Rao,mentioned in para. 3 abc

Copy of Paras. 3 and 4 of the letter from the Tahsildar, Siruguppa, to the Treasury Deputy Collector, Bellary, No. Ref. C. 2968/39B4, dated 23-11-39.

ADVANCES - Loans -Siruguppa taluk -L.I.L.O 833/36 - Post-ponement petition of Sri. S.K. Hanumantha Rao - report -submitted.

3. S.K. Bhimsena Rao, purchased the lands S.Nos. 142 and 429 of Siruguppa for Rs.98/- in 1933 in Court auction subject to the payement of Takkavai loan. The above S.Nos. were transferred in the name of S.K.Bhimsena Rao in Fasli 1343 as per orders in R.T.R. 433/33 and have been in his possession and enjoyment since then. Copy of the sale certificate is enclosed for favour of perusal. There was no fradulent transaction.

4. The works for which loans were granted have been completed and completion reports filed with the loans records.

Copy of Board's Pro. No. Routine 374, dated 19-1-40.

Short title -

Advances - Loans - (Bellary) Siruguppa taluk and village - L.I.L. 833/36 and 834/36 instalments- postponements - refused.

Read - Letter from the Collector of Bellary, No. Ref. C.1469/39,K, dated 5-12-1939.

pp 15-17 ante

RESOLUTION:-

The Board considers that the extension of the concession referred to in para. 2 of his letter read above to the case in question is unnecessary. The Collector is informed that the request of the petitioner should not be complied with.

p 15 ante

(True Extract)

(Sd) K.P. Krishnan Nayar,
Assistant Secretary

To The Collector of Bellary.

P.T.S.,
10/4

Pdl 11/4

Revenue dept.

C. No. 791 g/40 — Advances – Loans – (Bellary) – Sirnguppa Talu Sirnguppa village – L. J. L. Nos 833/36 and 834/36 – Collection – postponement – petition

1–5 C. H. — From Sri S. K. Hanumantha Rao, petition dt 23/2/40

Extract of A.'s order on p 1 C. H.

Let me see the papers.

g. T. B.
23/2/40

Extract of Secretary's Query at p 1 C. H.

Any papers in the Secretarial?

B. G. H.
23/2/40.

o/w S.

Submitted that there are no papers here on the subject relating to the request of the petitioner in his petition in the C. H.

p 1–4 C. H.

2. The petitioner states that in Fasli 1336 (1926–27) his father took four loans from the Govt amounting in all to Rs. 1800/- or Rs. 2,000/-, that these loans are free of interest and that the collection of the instalments due on the loans was suspended with reference to the orders issued in a Govt order of 1933.

Para 2, pp 1–2.

Para 3, p 2 C. H.

He further states that in 1933 his father purchased in auction some dry lands belonging to one

Bamm Mallayya, that two loans are due on those lands, and that he understands that the instalments due on these two loans also have also been suspended under the orders of the Govt. The petitioner represents that in 1939 the instalm due on the two loans were demanded from him that he prayed that the collection of the instal might be suspended till the 4 loans taken by his father were discharged and that the Board of Revenue has refused to com with his request. For the reasons stated in paras 5 6 7 of his petition, he has requested that he may be permitted to discharge the amounts due to the Govt on the several loans one after the other, and that the Board's order may be Cancelled. He has further represented that he understands that the Revenue authorities in the taluk are threatening to take immediate steps to recover the instalments, and has requested that the Board's order in B.P.R. No. 374 dated 19-1-1940 may be Stayed till h present petition to the Govt is disposed of 3/ The petitioner is apparently referring to the orders in G.O. No. 628 Rev. dated 1-4-1930. In this G.O., in view of the general heaviness of loans arrears, the frequent suspensions of la revenue and the general unsatisfactory Condi of the season, the Govt decided that the loa

para 3, p 1 of (K).

granted in certain ~~villages~~ in certain ~~fasli~~ in the Bellary and Anantapur districts should be treated as free of interest from the beginning, that all interest already paid should be credit to capital and that when a ryot had to repay two or more loans he should be allowed to repay them successively. Siruguppa village in the Bella

para 6, p 3 of (K)

para 4(6) at p 2 of (K) & 54 of the Statement at (T)

para 8, p 4 C. H

Dt. is one of the villages to which the above concessions were granted.

4/. The request of the petitioner is that he may be permitted to discharge the amounts due to the govt on the several loans (including the two loans due on the lands purchased by his father in court auction) one after the other. It will be seen from the order at p 5 C. 5 that the Board of Rev. has negatived the petitioner's request and that the Tahsildar, Siruguppa has ordered that the petitioner should pay off the loans instalments due in respect of L.D.L Nos 833/36 and 834/36 immediately.

Removed as it is a bulky one

(K) p. 1-4

In 1930 when the orders in G.O. No. 628 Rev &, 1-4-1930 were issued, the petitioner's father was not the owner of the lands in respect of which these two loans ~~have~~ were been granted. He became the owner thereof only in 1933 when he purchased them in court auction. presumably, it is for this reason that the Board has not complied with the request of the petitioner to discharge the two loans after the four loans taken by his father are discharged.

L. ' -rd 3, p 2 C. H.

It does not seem a satisfactory reason refusing

Rev.

... it is for orders whether the Board's remarks may be invited on the request of the petitioner in the first insta... the ... as requested by the petitioner, the recovery of the instalments may be ordered to be sta... pending the disposal of the present petiti...

5/ Subject to orders a draft endorse... is submitted for approval. Fin should see

Rev.

27/2.

Fin

Fin (Accts.)

Please note. The notes on pp. 1-4 above and the draft endorsement below may be perused and the case may be returned to Rev.

DTB 2.3.40

SVE 2.3.40

DWD 4/3

23/40

HDS

1 0 MAR 1940

Before comm

REV. W.C. No. 7914/40-1

27/2/40

ASSISTANT SECRETARY TO GOVERNMENT
28 FEB 1940
FINANCE DEPT.

pp

Fin No 7914 Dept

L 1/3/40

Jow. S.

Please see the notes at pp 1-4 above and the further petition from Sri S. K. Hanumantha Rao at pages 7-9 c. F.

2/. From para 3 of the petition it will be seen that the loan instalments for fasli 1349 due in respect of L.D.L. Nos. 833/36 and 834/36 have since been paid. para 2 of the draft Endt below may therefore be deleted

3/. The petitioner has ~~slightly~~ modified his original request, and his ~~latest~~ present request is contained in para 4 ~~of his petition~~ at page 9 ct. He orders whether this petition may also be sent to the Board of Revenue for remarks. Subject to orders, this petition ~~has~~ will also be noted in the abstract of the draft Endt

4/. Before issue, the file may be circulated to A1.

3

S

6/3/40

Hon. A1 There is no stay, no need to circulate

6.3.40

8/3.

[Issued as Endt No. 791/40-2 dated 8/3/1940]

[From the Board of Rev, Lr. dis. No. S. 2361/40 dated 9-4-1940]

---Please see the notes at pages 1-5 ante and the Board's report at pages 13-19 c.r.

2/- In this orgual petition, Sri S.K. Hanumantha Rao requested that the order G.O. No. 628 Rev dated 1-4-1930 might be extended to him and that he might, with effect from fasli 1349 be permitted to discharge one after the other, the 6 loans due from him. In his subsequent petition he stated that the amounts due to the govt for fasli 1349 on the two loans Nos 833/36 and 334/36 of which he is the present holder had been paid. He requested that he might be allowed the ~~effect from the~~ next fasli, and that if this could not be done, he might at least in respect of the two loans transferred to him, be allowed to be allowed to discharge one after the other, discharge one after the other in the same way as Bammi Mallayya, the orgual owner was.

The Board of Revenue to which the petitions were referred states that when the petitioners father purchased the lands offered as security for the loans obtained by the orgual borrower, he should have known that he had to pay the Pattah loans secured on them and should presumably have paid a value which would

enable him to pay off the loans on the
para 2, p 14 c.ante due dates. It considers that it is desirable to
allow the concession to the original borrower
but that it is not advisable, on principle,
to extend it to the cases of the kind. It
does not therefore recommend the grant of
the petitioner's request.

4/. Attention is invited to the Secretary's
remarks in the margin at the bottom of page
3 ante. ~~If~~ It is for orders whether the
Board's view may be accepted and the
petitioner may be informed that none of
his requests will be granted. Finance may
see before circulation — (vide A/'s orders
extracted at page 1 ante).

KLM
20-4-40

20-4-40.

For orders

S

7/-

I do not think the Board's argument is
sound. When the petitioner purchased
the lands he must no doubt know that
he would have to pay on the loans
but he probably expected that he
would be allowed to pay them off not
all at the same time but successively
one of after the other in the same way as

The previous owner is during the
period may be proper to have
divided and thought
as he does we should make it
a matter of the past was appearing
such evidence as the above.
The petitioner to discharge
a bram rather in the future
A bram must fall in this by
value of this principles. He
is presently
discharge his own bram
successively. It is suggested that
he may discharge each of his
two several brams successively
in the first place, but encumbrance
with the own brams. His

2/

This dept may agree to the Suggestion of the Rev. Secretary at A amp. & amdt.

PJR 1.5.40.

Cr 3/5/40

SLE 1.5.40

S (Rd.)

GWS 4/5

Rao

No 17293 Accts 4.5.40

18/5 eg/40

16-5-40

UNDER SECRETARY TO GOVERNMENT - 6 MAY 1940 REVENUE DEPT.

Draft submitted

S

The recommendation in the note from pp 7-9 is for orders.

7/5.

I agree

S 8/5/40

C.D.B. 26/13/5
nl issue ✓

29

Revenue Dept

C. No. 791 9/40. From Sri S. K. Hanumantha Rao, Singuppa, Bellary Dt., Petitions dated 23/2/40 and 4/3/40.

From the Board of Revenue, L. Dis. No. S. 2361/40 D 9/4/40.

Order MS. No. 1221 D 13.5.40 dated. [redacted]

The Government consider that the petitioner should be allowed to discharge the loans on the lands which he has purchased, successively one after the other, but concurrently with the loans taken by the petitioner's father.

The Bd of Revenue is requested to instruct him accordingly

[illegible]
6/5

Van
y ...t
...enger
6/5/40
193

To the Board of Revenue
Copy to the petitioner thro' the Board of Revenue (with 5 C. Rs retd)